IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2577 OF 2003
IN
SUIT NO. 2202 OF 2000

1(a) Mrs. Chandra Jayantilal Mainthia ..Plaintiffs.
and Others.

Versus

Rameshkumar Maganlal Mainthia & Ors. ..Defendants.

Mr. S.R. Ghanekar, appointed as a Receiver.

Ms. Bhatia i/by Prem S. Gidwani for the Applicants.

Mrs. Satpute i/by M.& M. Legal Venture & Co. for the defendants Nos. 1 to 7.

CORAM : S. J. VAZIFDAR, J.
DATED : 25TH NOVEMBER,2005.

P.C.:

1. This notice of motion has been taken out by M/s. Ghanekar & Co. for an order to appoint Shri Prem S. Gidwani, an Advocate of this court in place of Shri Shrikant R. Ghanekar, who is also an Advocate of this court, to act as a receiver jointly with Mr. Shaukat M. Merchant, an Advocate of this court, as the joint Receivers to act upon and implement the order of this court dated 15th February, 2001.

2. By that order dated 15the February, 2001 the

said Ghanekar and Merchant were appointed as the Receivers in relation to the shares listed at Exh. 'E' to the plaint, which may have been available on the date of the order. The receivers were to dispose of the said shares and deposit the sale proceed in a joint account to be opened in the name of the Receivers. The Receivers were entitled to disburse the sale proceed only by consent of the parties. As Shri Ghanekar does not wish to continue as a receiver, as per the order dated 15th Feb. 2001, I see no impediment in discharging him of this obligation.

3. It is however, ordered that Shri Ghanekar shall file an affidavit, disclosing all the steps taken by the Receivers in implementation of the order dated 15th February, 2001, including the details of the joint accounts, demat proceedings and papers and documents in relation thereto.

4. The parties are agreed and state that Prem S. Gidwani, an Advocate, be appointed as the Receiver jointly with Mr. Merchant, as the joint receivers.

5. In the circumstances, the notice of motion is made absolute in terms of prayer clause (a).

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